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*Electronically Filed on  
July 28, 2010*

6 Attorneys for CITY NATIONAL BANK

7 **UNITED STATES BANKRUPTCY COURT**

8 **DISTRICT OF NEVADA**

9 In re

Case No. BK-N-10-51334-GWZ

10 CLIFFORD J. MORIN,

Chapter 13

11 Debtor.

**STIPULATION RESOLVING CITY  
NATIONAL BANK'S MOTION FOR  
RELIEF FROM THE AUTOMATIC STAY,  
WITH CERTIFICATE OF SERVICE**

Hearing Date: 8/5/10 (TO BE VACATED)

Hearing Time: 2 p.m. (TO BE VACATED)

16 Creditor City National Bank ("CNB") and Debtor Clifford J. Morin ("Debtor") stipulate  
17 pursuant to 11 U.S.C. § 362, Fed. R. Bankr. P. 4001(d)(4), and L.R. 9014(f) as follows:

18 1. CNB filed a motion for relief from the automatic stay and supporting papers to  
19 resume foreclosure against Debtor's residence, with hearing set for August 5, 2010 (Ct. Dkt. #32  
20 & 35, filed June 21, 2010, Ct. Dkt. #36, filed June 23, 2010). CNB holds the second deed of  
21 trust securing \$520,922.53 in debt as of May 25, 2010. CNB recorded a notice of default and a  
22 notice of sale before Debtor filed its bankruptcy petition, and a continued sale date is scheduled  
23 for September 22, 2010, if relief from the automatic stay is granted. CNB alleged that Debtor  
24 has *de minimis* equity in the property and has been unable to sell it on his own.

25 2. Debtor believes he has a prospective buyer for his residence at 1576 East Valley  
26 Road in Gardnerville, Nevada.  
27  
28

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3. In resolution of CNB's motion from the automatic stay, the parties agree that Debtor shall have through August 31, 2010, to obtain a signed sales agreement for an amount sufficient to pay off CNB's debt in full. The buyer shall be a non-insider, and the agreement must be in escrow with a non-refundable deposit. Debtor also shall have a motion to approve the sale on file on or before August 31, 2010.

4. If Debtor does not satisfy the conditions of Paragraph 3, the automatic stay is terminated as to CNB on September 1, 2010, and it may resume its foreclosure and any other state law remedies without further action of this court.

5. If Debtor has satisfied the conditions of Paragraph 3, Debtor shall obtain court approval of the sale on or before September 30, 2010, and CNB shall continue its foreclosure sale to a date after October 1, 2010.

6. If Debtor does not satisfy the conditions of Paragraph 5, the automatic stay is terminated as to CNB on October 1, 2010, and it may resume its foreclosure and any other state law remedies without further action of this court.

7. The hearing on CNB's motion for relief from the automatic stay at 2 p.m. on August 5, 2010, is vacated.

DATED this 23<sup>rd</sup> day of July, 2010.

DATED this 28<sup>th</sup> day of July, 2010.

JONES VARGAS

DARBY LAW PRACTICE, LTD.

By: /s/ Louis M. Bubala III  
LOUIS M. BUBALA III

By: /s/Tricia M. Darby  
KEVIN A. DARBY  
TRICIA M. DARBY

Attorneys for City National Bank

Attorneys for Debtor Clifford J. Morin

APPROVED BY

DATED this 26<sup>th</sup> day of July, 2010.

Chapter 13 Trustee William A. Van Meter

By: /s/William A. Van Meter  
WILLIAM A. VAN METER

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**CERTIFICATE OF SERVICE**

1. On July 28, 2010, I served the following document(s):

**STIPULATION RESOLVING CITY NATIONAL BANK'S MOTION FOR RELIEF FROM THE AUTOMATIC STAY, WITH CERTIFICATE OF SERVICE**

2. I served the above-named document(s) by the following means to the persons as listed below:

■ a. **ECF System** (attach the "Notice of Electronic Filing" or list all persons and addresses):

- KEVIN A. DARBY kevin@darbylawpractice.com, tricia@darbylawpractice.com;melissa@darbylawpractice.com;matthew@darbylawpractice.com;kendal@darbylawpractice.com
- WILLIAM A. VAN METER c13ecf@nvcbell.net, wvanmeter13@ecf.epiqsystems.com
- GREGORY L. WILDE bk@wildelaw.com

☐ b. **United States mail, postage fully prepaid** (list persons and addresses):

☐ c. **Personal Service** (list persons and addresses):  
I personally delivered the document(s) to the persons at these addresses:

☐ d. **By direct email (as opposed to through the ECF System)** (list persons and email addresses):

☐ e. **By fax transmission** (list persons and fax numbers):

☐ f. **By messenger:**

I declare under penalty of perjury that the foregoing is true and correct.

DATED this 28<sup>th</sup> day of July, 2010.

Louis M. Bubala III _____ Name	/s/Louis M. Bubala III _____ Signature
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